



## CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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# Plan Commission Staff Report

**To:** Plan Commission Members

**From:** Joanna Myers, Senior Planner

**Date:** December 10, 2015

**Re:** Case PC 2015-28 (PP): Cumberland Trace

### REQUEST:

**Case PC 2015-28 (PP)...Cumberland Trace.** A request by West Franklin Homes, LLC for approval of a primary plat for a 147 lot single-family residential subdivision and approval of waiver requests. The subject property is located on 40.089 acres south of Cumberland Commons and north of Cumberland Trails. The property is currently zoned RSN (Residential: Suburban Neighborhood).

### ZONING:

#### Surrounding Zoning:

North: RSN (Residential: Suburban Neighborhood)  
South: RSN (Residential: Suburban Neighborhood)  
East: RSN (Residential: Suburban Neighborhood)  
West: RS-1 (Residential: Suburban One)

#### Surrounding Land Use:

North: Single-family residential  
South: Single-family residential  
East: Single-family residential  
West: Agricultural

### HISTORY:

1. The subject property was included within the limits of the previously approved primary plat for the Cumberland Commons Subdivision (PC 2002-44), which has since expired. A copy is attached.
2. The subject area includes Lots 174 through 320 on the previously approved Cumberland Commons primary plat.
3. Lots 1 through 173 have been developed as Cumberland Commons, Sections 1A, 1, & 2 and have been completely built-out.

### CONSIDERATIONS:

1. The subject property is zoned RSN (Residential: Suburban Neighborhood). The "RSN", Residential: Suburban Neighborhood zoning district is intended to ensure the continued viability of suburban-style lots in existence on the effective date of the Zoning Ordinance (May 10, 2004). This district should only be used to maintain established setbacks and standards in suburban neighborhoods. The lot standards for RSN zoned properties are listed below.
  - a. Minimum lot area – equal to smallest lot of previously approved primary plat (7,200 s.f.)
  - b. Minimum lot width – equal to smallest lot of previously approved primary plat (60 ft.)

- c. Maximum lot coverage – 50%
  - d. Minimum front yard setback – as shown on previously approved primary plat (25 ft.)
  - e. Minimum side yard setback – 5 feet
  - f. Minimum rear setback – 15 feet
2. The proposed development of Cumberland Trace meets the above referenced minimum standards and does not require any variance requests to go before the Board of Zoning Appeals.
  3. The petitioner is proposing to develop 147 single-family residential lots. The previous primary plat had proposed 147 lots also.
  4. Four detention ponds are proposed and will be included within common areas to be maintained by the Homeowners Association.
  5. The street layout has not been revised from the previous plan and will result in Cumberland Drive connecting Cumberland Trails to the south with Cumberland Commons to the north.
  6. The sanitary sewer running along the east side of Cumberland Drive is an existing line and was installed with the previous developments. As this line is existing, its location impacts the alignment of Cumberland Drive.
  7. The Technical Review Committee reviewed the petition at their November 25, 2015 meeting. Revised plans were received December 7, 2015 and reviewed with the following comments being provided:
    - a. The limits of the existing easements per Instrument No. 2003-031039 need to be shown on the plans. If a survey has been completed, please provide a copy.
    - b. Landscape easements to be provided for all landscape areas adjacent to Cumberland Drive.
    - c. Maximum length of a cul-de-sac is 500 feet. Revise or obtain a waiver. (WAIVER REQUEST – PENDING)
    - d. 20' utility easement is to be provided along the entire perimeter of the subdivision (Lot 1 previously Lot 53) or obtain a waiver. (WAIVER REQUEST – PENDING)
    - e. Common areas need to be identified by a number or letter and labeled as D&UE.
  8. The 2013 Franklin Comprehensive Plan, Land Use Plan, identifies this area as Small-Lot Suburban Residential. “Small-lot suburban residential areas are intended to include primarily single-family detached residences. Other uses in small-lot suburban neighborhoods may include neighborhood and community parks and neighborhood-scale churches and schools. These neighborhoods are distinguished from large-lot suburban residential areas by lot size, setbacks, density, and possibly home size. A diversity of home sizes and designs is encouraged in these areas. Also encouraged is the occasional incorporation of accessory residences. In all cases, the design features of each home should provide materials, a scale, and other design elements that promote consistency in the neighborhood.”

## WAIVER REQUESTS:

1. Article 6.8(B)(3) states that the maximum length of any cul-de-sac street shall be 500 feet, measured along the centerline from its intersection with the centerline of another street to the center of the turn-around right-of-way.
  - a. Staff Comment – The proposed cul-de-sac lengths (586.30 ft. and 608.59 ft.) are substantially similar in length as previously approved. A waiver request was not required at that time as the maximum allowed length for a cul-de-sac was 1,000 ft. The current Subdivision Control Ordinance states that the maximum length for cul-de-sacs is 500 ft. As the subject property is an infill development essentially completing a previously approved development, staff finds that the request is reasonable.
2. Article 6.14(C)(1)(c) states that a 20 ft. utility easement shall be provided around the perimeter of the subdivision.
  - a. Staff Comment – The required 20 ft. utility easement has been provided around the entire perimeter with the exception of Lot 1 (previously Lot 53). Staff has discussed that the likely intent of the ordinance is to provide a utility easement along the rear of all lots and to provide the ability to extend services to adjacent properties as they develop. As the subject property is an infill development essentially completing a previously approved development and that the request is for Lot 1 only, staff supports this request.
3. See the attached waiver requests from the petitioner outlining the reasons for each waiver request.

## CRITERIA FOR DECISION (WAIVERS):

As outlined in Article 2.4 of the Subdivision Control Ordinance, the Plan Commission shall not approve any waivers of the subdivision regulations unless it makes written findings based upon the evidence presented by the petitioner in each specific case, indicating how:

1. **Public Welfare:** The granting of the waiver will not be detrimental to the public safety, health, and/or welfare;
2. **Adjacent Property:** The granting of the waiver will not be injurious to the reasonable use and development of other property;
3. **Unique Conditions:** The conditions upon which the request for the waiver is based are unique to the property for which it is sought and are not applicable generally to other property;
4. **Physical Conditions:** Because of the particular physical surroundings, shape, or topographical conditions or the specific property involved a hardship to the owner would result if the strict letter of these regulations were carried out; and
5. **Comprehensive Plan:** The waiver will not contradict the intent of the City of Franklin Comprehensive Plan.

## CRITERIA FOR DECISIONS (PRIMARY PLAT):

In taking action on primary plat requests of a major subdivision, the Plan Commission shall use the decision criteria outlined in Article 4.2(F)(2) of the City of Franklin Subdivision Control Ordinance.

1. **Subdivision Control Ordinance Requirements:** The consistency of the proposed primary plat with the requirements of the Subdivision Control Ordinance;
2. **Zoning Ordinance Requirements:** The consistency of the proposed primary plat with the standards of the zoning district in which it is located; and
3. **Other Requirements:** The consistency of the proposed primary plat with any other applicable standards.

The Plan Commission may 1) approve, 2) approve with conditions, 3) deny, or 4) continue the petition to the next regularly scheduled Plan Commission meeting. In order to make a motion to deny, the petition must not meet the specific requirements of the Subdivision Control Ordinance or Zoning Ordinance.

Following approval of the primary plat, the petitioner shall submit Secondary Plat & Construction Plans for review and approval as outlined in the Subdivision Control Ordinance.

**STAFF RECOMMENDATION:**

If the Plan Commission finds sufficient evidence to approve the waiver requests, staff recommends *approval of the primary plat with the following conditions:*

- a. The limits of the existing easements per Instrument No. 2003-031039 be shown on the plans. If a survey has been completed, please provide a copy.
- b. Landscape easements to be provided for all landscape areas adjacent to Cumberland Drive.
- c. Common areas be identified by a number or letter and labeled as D&UE.